

Atty. Dkt. No. 02CR377/KE

REMARKS

Claims 1-20 remain pending in this application. Applicant respectfully requests reconsideration of the present application in view of the reasons that follow.

A detailed listing of all claims that are in the application is presented above, with an appropriate status identifier for each.

Specification

In the specification, paragraph [0018] on page 7, paragraph [0021] on page 8, paragraph [0029] on page 10, paragraph [0031] on page 11, and paragraph [0032] on page 11 have been amended to provide further clarity in the application. No new matter has been added.

Claim Rejections – 35 U.S.C. § 102(e)

In section 2 of the Office Action, claims 1-20 are rejected under 35 U.S.C. § 102(e) as being anticipated by Hoven et al. (U.S. Published Patent Application No. 2004/0135721).

a. Claims 1-8

With regard to claim 1, Applicant respectfully submits that Hoven et al. fails to disclose all of the steps of claim 1 as combined therein. Specifically, claim 1 recites “determining a delay error associated with the anti-jamming processing,” and “adjusting ionospheric corrections in response to the delay error.” Hoven et al. does not teach, disclose, or suggest “determining a delay error associated with the anti-jamming processing,” and “adjusting ionospheric corrections in response to the delay error” as included in the combination of steps of claim 1.

The Office Action states that Hoven et al. teach a method “for removing anti-jamming induced errors from ionospheric corrections including means for determining ... a delay error associated with anti-jamming processing 202, and means for calculating ionospheric corrections, the means for calculating 112, 102 ionospheric corrections either receiving pseudo range values adjusted by the delay error or calculates the ionospheric corrections in accordance with the delay

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error.” Hoven et al., however, discloses only that “[b]ecause only a single GPS frequency is needed by the present invention at any given time, the present invention maintains the ability to accurately estimate ionospheric delay (and thereby reduce the CEP of the determined position) using a low cost single frequency (L.sub.1 or L.sub.2) anti-jamming (AJ) system, and that “a single frequency AJ system 202 is used to free one of the two GPS signals.” See paragraph [0078]. Hoven et al. makes no mention of adjusting the ionospheric delay estimates based on delays associated with the anti-jamming system. Thus, Hoven et al. does not teach, disclose, or suggest “determining a delay error associated with the anti-jamming processing,” and “adjusting ionospheric corrections in response to the delay error,” and particularly not as part of a “method of compensating for delays induced by anti-jamming processing” as recited in the combination of steps of claim 1. Accordingly, Applicant requests that the rejection of claim 1 under 35 U.S.C. § 102(e) be withdrawn. Additionally, claims 2-8 depend from claim 1 and are thus patentable over Hoven et al. for at least the same reasons as claim 1, and Applicant further requests that the rejection of claims 2-8 under 35 U.S.C. § 102(e) be withdrawn as well.

b. Claims 9-15

With regard to claim 9, Applicant respectfully submits that Hoven et al. fails to disclose all of the elements of claim 9 as combined therein. Specifically, claim 9 recites “a distortion calculator for calculating a delay error associated with the digital anti-jamming processing circuit,” and “an ionospheric correction circuit” that “calculates the ionospheric corrections in response to the delay error to reduce errors induced from the digital anti-jamming processing circuit.” Hoven et al. does not teach, disclose, or suggest “a distortion calculator for calculating a delay error associated with the digital anti-jamming processing circuit,” and “an ionospheric correction circuit” that “calculates the ionospheric corrections in response to the delay error to reduce errors induced from the digital anti-jamming processing circuit” as included in the combination of elements of claim 9.

The Office Action states that Hoven et al. teach a system “for removing anti-jamming induced errors from ionospheric corrections including means for determining ... a delay error

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associated with anti-jamming processing 202, and means for calculating ionospheric corrections, the means for calculating 112, 102 ionospheric corrections either receiving pseudo range values adjusted by the delay error or calculates the ionospheric corrections in accordance with the delay error.” Hoven et al., however, discloses only that “[b]ecause only a single GPS frequency is needed by the present invention at any given time, the present invention maintains the ability to accurately estimate ionospheric delay (and thereby reduce the CEP of the determined position) using a low cost single frequency (L.sub.1 or L.sub.2) anti-jamming (AJ) system, and that “a single frequency AJ system 202 is used to free one of the two GPS signals.” See paragraph [0078]. Hoven et al. makes no mention of adjusting the ionospheric delay estimates based on delays associated with the anti-jamming system. Thus, Hoven et al. does not teach, disclose, or suggest “a distortion calculator for calculating a delay error associated with the digital anti-jamming processing circuit,” and “an ionospheric correction circuit” that “calculates the ionospheric corrections in response to the delay error to reduce errors induced from the digital anti-jamming processing circuit,” and particularly not as part of a “positioning system including an anti-jamming processing circuit” as recited in the combination of elements of claim 9. Accordingly, Applicant requests that the rejection of claim 9 under 35 U.S.C. § 102(e) be withdrawn. Additionally, claims 10-15 depend from claim 9 and are thus patentable over Hoven et al. for at least the same reasons as claim 9, and Applicant further requests that the rejection of claims 10-15 under 35 U.S.C. § 102(e) be withdrawn as well.

c. **Claims 16-20**

With regard to claim 16, Applicant respectfully submits that Hoven et al. fails to disclose all of the elements of claim 16 as combined therein. Specifically, claim 16 recites “means for determining a delay error associated with the anti-jamming processing,” and “means for calculating ionospheric corrections” that either receives “pseudo range values adjusted by the delay error” or “calculates the ionospheric corrections in accordance with the delay error.” Hoven et al. does not teach, disclose, or suggest “means for determining a delay error associated with the anti-jamming processing,” and “means for calculating ionospheric corrections” that either

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receives "pseudo range values adjusted by the delay error" or "calculates the ionospheric corrections in accordance with the delay error" as included in the combination of elements of claim 16.

The Office Action states that Hoven et al. teach a method "for removing anti-jamming induced errors from ionospheric corrections including means for determining ... a delay error associated with anti-jamming processing 202, and means for calculating ionospheric corrections, the means for calculating 112, 102 ionospheric corrections either receiving pseudo range values adjusted by the delay error or calculates the ionospheric corrections in accordance with the delay error." Hoven et al., however, discloses only that "[b]ecause only a single GPS frequency is needed by the present invention at any given time, the present invention maintains the ability to accurately estimate ionospheric delay (and thereby reduce the CEP of the determined position) using a low cost single frequency (L.sub.1 or L.sub.2) anti-jamming (AJ) system," and that "a single frequency AJ system 202 is used to free one of the two GPS signals." See paragraph [0078]. Hoven et al. makes no mention of adjusting the ionospheric delay estimates based on delays associated with the anti-jamming system. Thus, Hoven et al. does not teach, disclose, or suggest "means for determining a delay error associated with the anti-jamming processing," and "means for calculating ionospheric corrections" that either receives "pseudo range values adjusted by the delay error" or "calculates the ionospheric corrections in accordance with the delay error," and particularly not as part of an "apparatus for removing anti-jamming induced errors from ionospheric corrections" as recited in the combination of elements of claim 16. Accordingly, Applicant requests that the rejection of claim 16 under 35 U.S.C. § 102(e) be withdrawn. Additionally, claims 17-20 depend from claim 16 and are thus patentable over Hoven et al. for at least the same reasons as claim 16, and Applicant further requests that the rejection of claims 17-20 under 35 U.S.C. § 102(e) be withdrawn as well.

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Claim Rejections – 35 U.S.C. § 103(a)**a. Rejection of Claims 1-8 based on Whitehead in view of Hoven et al.**

In section 4 of the Office Action, claims 1-8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Whitehead (U.S. Patent No. 6,397,147) in view of Hoven et al. With regard to claim 1, Applicant respectfully submits that the cited combination of Whitehead in view of Hoven et al. fails to disclose all of the steps of claim 1 as combined therein. Specifically, claim 1 recites “determining a delay error associated with the anti-jamming processing,” and “adjusting ionospheric corrections in response to the delay error.” The cited combination of Whitehead in view of Hoven et al. does not teach, disclose, or suggest “determining a delay error associated with the anti-jamming processing,” and “adjusting ionospheric corrections in response to the delay error” as included in the combination of steps of claim 1.

The Office Action states that Whitehead teaches “a method of compensating for delays including determining (col. 3, lines 15-29; col. 5, lines 65-col. 6, line 6; fig. 3, 304) a delay error, and adjusting 30 ionospheric corrections in response to the delay error.” Whitehead, however, discloses only adjustments for atmospheric delays, and makes no mention of adjusting the atmospheric delays based on delays associated with an anti-jamming system. In fact, the Office Action correctly acknowledges that Whitehead “does not teach an anti-jamming processing circuit.” Thus, Whitehead fails to teach, disclose, or suggest “determining a delay error associated with the anti-jamming processing,” and “adjusting ionospheric corrections in response to the delay error” as included in the combination of steps of claim 1.

As to Hoven et al., the Office Action states that it teaches “an anti-jamming processing circuit 202,” and further states that “[i]t would have been obvious to employ an anti-jamming processing circuit as taught by Hoven et al. into Whitehead to unjam the frequencies.” Hoven et al., however, discloses only that “[b]ecause only a single GPS frequency is needed by the present invention at any given time, the present invention maintains the ability to accurately estimate ionospheric delay (and thereby reduce the CEP of the determined position) using a low cost

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single frequency (L.sub.1 or L.sub.2) anti-jamming (AJ) system,” and that “a single frequency AJ system 202 is used to free one of the two GPS signals.” See paragraph [0078]. Hoven et al. makes no mention of adjusting the ionospheric delay estimates based on delays associated with the anti-jamming system. Thus, the cited combination of Whitehead in view of Hoven et al. does not teach, disclose, or suggest “determining a delay error associated with the anti-jamming processing,” and “adjusting ionospheric corrections in response to the delay error,” and particularly not as part of a “method of compensating for delays induced by anti-jamming processing” as recited in the combination of steps of claim 1. Accordingly, Applicant requests that the rejection of claim 1 under 35 U.S.C. § 103(a) be withdrawn. Additionally, claims 2-8 depend from claim 1 and are thus patentable over the cited combination of Whitehead in view of Hoven et al. for at least the same reasons as claim 1, and Applicant further requests that the rejection of claims 2-8 under 35 U.S.C. § 103(a) be withdrawn as well.

b. Rejection of Claims 9-20 based on Counselman in view of Hoven et al.

In section 5 of the Office Action, claims 9-20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Counselman (U.S. Patent No. 4,894,662) in view of Hoven et al. With regard to claim 9, Applicant respectfully submits that the cited combination of Counselman in view of Hoven et al. fails to disclose all of the elements of claim 9 as combined therein. Specifically, claim 9 recites “a distortion calculator for calculating a delay error associated with the digital anti-jamming processing circuit,” and “an ionospheric correction circuit” that “calculates the ionospheric corrections in response to the delay error to reduce errors induced from the digital anti-jamming processing circuit.” The cited combination of Counselman in view of Hoven et al. does not teach, disclose, or suggest “a distortion calculator for calculating a delay error associated with the digital anti-jamming processing circuit,” and “an ionospheric correction circuit” that “calculates the ionospheric corrections in response to the delay error to reduce errors induced from the digital anti-jamming processing circuit” as included in the combination of elements of claim 9.

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The Office Action states that Counselman teaches a position system “for removing anti-jamming] induced errors from ionospheric corrections including means for determining (fig. 7, 190; fig. 6, 190) a delay error, and means for calculating (col. 2, line 1+) ionospheric corrections, the means for calculating ionospheric corrections either receiving pseudo range values adjusted by the delay error or calculates the ionospheric corrections in accordance with the delay error.”

Counselman, however, discloses only corrections for ionospheric effects, and makes no mention of adjusting the corrections for ionospheric effects based on delays associated with an anti-jamming system. In fact, the Office Action correctly acknowledges that Counselman “does not teach an anti-jamming processing circuit.” Thus, Counselman fails to teach, disclose, or suggest “a distortion calculator for calculating a delay error associated with the digital anti-jamming processing circuit,” and “an ionospheric correction circuit” that “calculates the ionospheric corrections in response to the delay error to reduce errors induced from the digital anti-jamming processing circuit” as included in the combination of elements of claim 9.

As to Hoven et al., the Office Action states that it teaches “an anti-jamming processing circuit 202,” and further states that “[i]t would have been obvious to employ an anti-jamming processing circuit as taught by Hoven et al. into Counselman to unjam the frequencies.” Hoven et al., however, discloses only that “[b]ecause only a single GPS frequency is needed by the present invention at any given time, the present invention maintains the ability to accurately estimate ionospheric delay (and thereby reduce the CEP of the determined position) using a low cost single frequency (L.sub.1 or L.sub.2) anti-jamming (AJ) system,” and that “a single frequency AJ system 202 is used to free one of the two GPS signals.” See paragraph [0078]. Hoven et al. makes no mention of adjusting the ionospheric delay estimates based on delays associated with the anti-jamming system. Thus, the cited combination of Whitehead in view of Hoven et al. does not teach, disclose, or suggest “a distortion calculator for calculating a delay error associated with the digital anti-jamming processing circuit,” and “an ionospheric correction circuit” that “calculates the ionospheric corrections in response to the delay error to reduce errors induced from the digital anti-jamming processing circuit,” and particularly not as part of a “positioning system including an anti-jamming processing circuit” as recited in the combination

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of elements of claim 9. Accordingly, Applicant requests that the rejection of claim 9 under 35 U.S.C. § 103(a) be withdrawn. Additionally, claims 10-15 depend from claim 9 and are thus patentable over the cited combination of Whitehead in view of Hoven et al. for at least the same reasons as claim 9, and Applicant further requests that the rejection of claims 10-15 under 35 U.S.C. § 103(a) be withdrawn as well.

With regard to claim 16, Applicant respectfully submits that the cited combination of Counselman in view of Hoven et al. fails to disclose all of the elements of claim 16 as combined therein. Specifically, claim 16 recites "means for determining a delay error associated with the anti-jamming processing," and "means for calculating ionospheric corrections" that either receives "pseudo range values adjusted by the delay error" or "calculates the ionospheric corrections in accordance with the delay error." The cited combination of Counselman in view of Hoven et al. does not teach, disclose, or suggest "means for determining a delay error associated with the anti-jamming processing," and "means for calculating ionospheric corrections" that either receives "pseudo range values adjusted by the delay error" or "calculates the ionospheric corrections in accordance with the delay error" as included in the combination of elements of claim 16.

The Office Action states that Counselman teaches a position system "for removing anti-[jamming] induced errors from ionospheric corrections including means for determining (fig. 7, 190; fig. 6, 190) a delay error, and means for calculating (col. 2, line 1+) ionospheric corrections, the means for calculating ionospheric corrections either receiving pseudo range values adjusted by the delay error or calculates the ionospheric corrections in accordance with the delay error." Counselman, however, discloses only corrections for ionospheric effects, and makes no mention of adjusting the corrections for ionospheric effects based on delays associated with an anti-jamming system. In fact, the Office Action correctly acknowledges that Counselman "does not teach an anti-jamming processing circuit." Thus, Counselman fails to teach, disclose, or suggest "means for determining a delay error associated with the anti-jamming processing," and "means for calculating ionospheric corrections" that either receives "pseudo range values adjusted by the

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delay error” or “calculates the ionospheric corrections in accordance with the delay error” as included in the combination of elements of claim 16.

As to Hoven et al., the Office Action states that it teaches “an anti-jamming processing circuit 202,” and further states that “[i]t would have been obvious to employ an anti-jamming processing circuit as taught by Hoven et al. into Counselman to unjam the frequencies.” Hoven et al., however, discloses only that “[b]ecause only a single GPS frequency is needed by the present invention at any given time, the present invention maintains the ability to accurately estimate ionospheric delay (and thereby reduce the CEP of the determined position) using a low cost single frequency (L.sub.1 or L.sub.2) anti-jamming (AJ) system,” and that “a single frequency AJ system 202 is used to free one of the two GPS signals.” See paragraph [0078]. Hoven et al. makes no mention of adjusting the ionospheric delay estimates based on delays associated with the anti-jamming system. Thus, the cited combination of Counselman in view of Hoven et al. does not teach, disclose, or suggest “means for determining a delay error associated with the anti-jamming processing,” and “means for calculating ionospheric corrections” that either receives “pseudo range values adjusted by the delay error” or “calculates the ionospheric corrections in accordance with the delay error,” and particularly not as part of an “apparatus for removing anti-jamming induced errors from ionospheric corrections” as recited in the combination of elements of claim 16. Accordingly, Applicant requests that the rejection of claim 16 under 35 U.S.C. § 103(a) be withdrawn. Additionally, claims 17-20 depend from claim 16 and are thus patentable over the cited combination of Counselman in view of Hoven et al. for at least the same reasons as claim 16, and Applicant further requests that the rejection of claims 17-20 under 35 U.S.C. § 103(a) be withdrawn as well.

c. Rejection of Claims 9-20 based on Kinal in view of Hoven et al.

In section 6 of the Office Action, claims 9-20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kinal (U.S. Published Patent Application No. 2004/0145517) in view of Hoven et al. With regard to claim 9, Applicant respectfully submits that the cited combination of Kinal in view of Hoven et al. fails to disclose all of the elements of claim 9 as combined therein.

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Specifically, claim 9 recites “a distortion calculator for calculating a delay error associated with the digital anti-jamming processing circuit,” and “an ionospheric correction circuit” that “calculates the ionospheric corrections in response to the delay error to reduce errors induced from the digital anti-jamming processing circuit.” The cited combination of Kinal in view of Hoven et al. does not teach, disclose, or suggest “a distortion calculator for calculating a delay error associated with the digital anti-jamming processing circuit,” and “an ionospheric correction circuit” that “calculates the ionospheric corrections in response to the delay error to reduce errors induced from the digital anti-jamming processing circuit” as included in the combination of elements of claim 9.

The Office Action states that Kinal teaches a position system “for removing anti-[jamming] induced errors from ionospheric corrections including means for determining (paragraph 0079; p.8, claim 21 and 25) a delay error, and means for calculating (paragraph 22) ionospheric corrections, the means for calculating ionospheric corrections either receiving pseudo range values adjusted by the delay error or calculates the ionospheric corrections in accordance with the delay error.” Kinal, however, discloses only estimates for ionospheric delay, and makes no mention of adjusting the estimates for ionospheric delay based on delays associated with an anti-jamming system. In fact, the Office Action correctly acknowledges that Kinal “does not teach an anti-jamming processing circuit.” Thus, Kinal fails to teach, disclose, or suggest “a distortion calculator for calculating a delay error associated with the digital anti-jamming processing circuit,” and “an ionospheric correction circuit” that “calculates the ionospheric corrections in response to the delay error to reduce errors induced from the digital anti-jamming processing circuit” as included in the combination of elements of claim 9.

As to Hoven et al., the Office Action states that it teaches “an anti-jamming processing circuit 202,” and further states that “[i]t would have been obvious to employ an anti-jamming processing circuit as taught by Hoven et al. into Kinal to unjam the frequencies.” Hoven et al., however, discloses only that “[b]ecause only a single GPS frequency is needed by the present invention at any given time, the present invention maintains the ability to accurately estimate

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ionospheric delay (and thereby reduce the CEP of the determined position) using a low cost single frequency (L.sub.1 or L.sub.2) anti-jamming (AJ) system,” and that “a single frequency AJ system 202 is used to free one of the two GPS signals.” See paragraph [0078]. Hoven et al. makes no mention of adjusting the ionospheric delay estimates based on delays associated with the anti-jamming system. Thus, the cited combination of Kinal in view of Hoven et al. does not teach, disclose, or suggest “a distortion calculator for calculating a delay error associated with the digital anti-jamming processing circuit,” and “an ionospheric correction circuit” that “calculates the ionospheric corrections in response to the delay error to reduce errors induced from the digital anti-jamming processing circuit,” and particularly not as part of a “positioning system including an anti-jamming processing circuit” as recited in the combination of elements of claim 9. Accordingly, Applicant requests that the rejection of claim 9 under 35 U.S.C. § 103(a) be withdrawn. Additionally, claims 10-15 depend from claim 9 and are thus patentable over the cited combination of Kinal in view of Hoven et al. for at least the same reasons as claim 9, and Applicant further requests that the rejection of claims 10-15 under 35 U.S.C. § 103(a) be withdrawn as well.

With regard to claim 16, Applicant respectfully submits that the cited combination of Kinal in view of Hoven et al. fails to disclose all of the elements of claim 16 as combined therein. Specifically, claim 16 recites “means for determining a delay error associated with the anti-jamming processing,” and “means for calculating ionospheric corrections” that either receives “pseudo range values adjusted by the delay error” or “calculates the ionospheric corrections in accordance with the delay error.” The cited combination of Kinal in view of Hoven et al. does not teach, disclose, or suggest “means for determining a delay error associated with the anti-jamming processing,” and “means for calculating ionospheric corrections” that either receives “pseudo range values adjusted by the delay error” or “calculates the ionospheric corrections in accordance with the delay error” as included in the combination of elements of claim 16.

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The Office Action states that Kinal teaches a position system “for removing anti-[jamming] induced errors from ionospheric corrections including means for determining (fig. 7, 190; fig. 6, 190) a delay error, and means for calculating (col. 2, line 1+) ionospheric corrections, the means for calculating ionospheric corrections either receiving pseudo range values adjusted by the delay error or calculates the ionospheric corrections in accordance with the delay error.” Kinal, however, discloses only estimates for ionospheric delay, and makes no mention of adjusting the estimates for ionospheric delay based on delays associated with an anti-jamming system. In fact, the Office Action correctly acknowledges that Kinal “does not teach an anti-jamming processing circuit.” Thus, Kinal fails to teach, disclose, or suggest “means for determining a delay error associated with the anti-jamming processing,” and “means for calculating ionospheric corrections” that either receives “pseudo range values adjusted by the delay error” or “calculates the ionospheric corrections in accordance with the delay error” as included in the combination of elements of claim 16.

As to Hoven et al., the Office Action states that it teaches “an anti-jamming processing circuit 202,” and further states that “[i]t would have been obvious to employ an anti-jamming processing circuit as taught by Hoven et al. into Kinal to unjam the frequencies.” Hoven et al., however, discloses only that “[b]ecause only a single GPS frequency is needed by the present invention at any given time, the present invention maintains the ability to accurately estimate ionospheric delay (and thereby reduce the CEP of the determined position) using a low cost single frequency (L.sub.1 or L.sub.2) anti-jamming (AJ) system, and that “a single frequency AJ system 202 is used to free one of the two GPS signals.” See paragraph [0078]. Hoven et al. makes no mention of adjusting the ionospheric delay estimates based on delays associated with the anti-jamming system. Thus, the cited combination of Kinal in view of Hoven et al. does not teach, disclose, or suggest “means for determining a delay error associated with the anti-jamming processing,” and “means for calculating ionospheric corrections” that either receives “pseudo range values adjusted by the delay error” or “calculates the ionospheric corrections in accordance with the delay error,” and particularly not as part of an “apparatus for removing anti-jamming induced errors from ionospheric corrections” as recited in the combination of elements of claim

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16. Accordingly, Applicant requests that the rejection of claim 16 under 35 U.S.C. § 103(a) be withdrawn. Additionally, claims 17-20 depend from claim 16 and are thus patentable over the cited combination of Kinal in view of Hoven et al. for at least the same reasons as claim 16, and Applicant further requests that the rejection of claims 17-20 under 35 U.S.C. § 103(a) be withdrawn as well.

Conclusion

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

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The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 18-1722. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 18-1722. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 18-1722.

Respectfully submitted,

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